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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/711,359

09/14/2004

Luigi Alaria

22.3085

5358

26932

7590

01/16/2007

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EXAMINER

HEWITT, JAMES M

ART UNIT

PAPER NUMBER

3679

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/16/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/711,359	<b>Applicant(s)</b> LUIGI ET AL	
	<b>Examiner</b> James M. Hewitt	<b>Art Unit</b> 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10/24/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) See Continuation Sheet is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,8-11,21,22,24,25,28,29,31,33,34,41,42,44,45,48,49 and 51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/9/05</u> . | 6) <input type="checkbox"/> Other: _____  |

Continuation of Disposition of Claims: Claims withdrawn from consideration are 3-7,12-20,23,26,27,30,32,35-40,43,46,47,50 and 52-60.

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election with traverse of Species I (Figures 2A, 4A and 4B) in the reply filed on 10/24/05 is acknowledged. The traversal is on the ground(s) that Applicant does not consider Species III and IV to be patentably distinct. This is not found persuasive because Species III is drawn to a box member having an L-shaped groove for receipt of a flange, whereas Species IV is drawn to a pin member having a T-shaped groove for receipt of a flange.

The requirement is still deemed proper and is therefore made FINAL.

Claims 3-7, 12-20, 23, 26, 27, 30, 32, 35-40, 43, 46, 47, 50 and 52-60 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 10/24/05.

Applicant incorrectly indicated that claim 26 (dependent from non-elected claim 23) is readable on the elected species. And note that claim 42 does read on the elected species.

### ***Information Disclosure Statement***

The information disclosure statement filed 6/9/05 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most

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knowledgeable about the content of the information, of the EP 1031739, FR 2599812, and EP 0083675 non-English language documents. It has been placed in the application file, but the afore-mentioned documents have not been considered.

### ***Specification***

The abstract of the disclosure is objected to because it exceeds 150 words and includes the implied phrases "is disclosed", "Also disclosed" and "are also disclosed". Correction is required. See MPEP § 608.01(b).

### ***Claim Objections***

Claims 1, 2, 8-11, 21, 22, 24-25, 28, 29, 31, 33, 34, 41-42, 44, 45, 48, 49 and 51 are objected to because of the following informalities:

Claims 1, 21 and 41 are objected to under 37 CFR 1.75(i), which states "Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation."

The preamble of claim 1 recites "A thread spacer *for a tapered threaded connection between drill pipes*", thus claiming the thread spacer, and only functionally claiming the tapered threaded connection. Yet the body of claim 1 recites "wherein the conical member of the thread spacer is fixed upon one of a set of threads of the tapered threaded connection", claim 8 recites "wherein the conical member is fixed upon one of the sets of threads...with a fixative", claim 9 recites "wherein the conical member is fixed upon one of the sets of threads...with a fastener", claim 10 recites "wherein the

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tapered threaded connection comprises...” and claim 11 recites “wherein the tapered threaded connection comprises...”, thus making it unclear as to whether the tapered threaded connection is being claimed in combination with the thread spacer. For examination purposes, the tapered threaded combination has been considered to be claimed in combination with the thread spacer.

In claim 21, line 1, “a” should be inserted before “set”.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 10-11, 21-22, 24-25, 31, 41, 42, 44, 45 and 51 are rejected under 35 U.S.C. 102(b) as being anticipated by Boynton (US 2,296,198).

Boynton discloses a drill pipe (1) comprising a longitudinal axis, two tapered ends, a set of threads (1b) on each tapered end, and a thread spacer (3); the thread spacer comprising a thin, hollow, truncated conical member (Fig. 2); the conical member comprising an exterior portion and an interior portion, and undulating threads formed on the exterior and interior portions; wherein the conical member of the thread spacer is fixed upon one of the sets of threads of the drill pipe; further comprising a flange (with slots 3d); further comprising a plurality of precut tabs (defined by slots 3d)

formed on the conical member; wherein the flange is attached to the precut tabs of the thread spacer; wherein one of the tapered ends comprises a set of threads mated with a corresponding set of threads on a second drill pipe (2), and opposing shoulders adjacent the sets of threads (defined by last thread(s) of member 2 in abutment with one end of the thread spacer flange and the thread(s) of member 1 in abutment with the other end of the thread spacer flange); wherein the thread spacer is intermediate the sets of threads, and the flange is compressed between the shoulders.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8, 28, 33 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boynton in view of Almasy et al (US 5,813,428).

Boynton teaches all the limitations of claims 8, 28, 33 and 48 except that the thread spacer is fixed upon one of the sets of threads of the tapered connection with adhesive. Almasy et al teaches a threaded coupling that employs a similar thread spacer (thread bushing 48) that is fixed by adhesive to the exterior threads (16) of member (14). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Boynton and adhere his thread spacer to member (1) in order to better secure and retain the thread spacer.

Claims 9, 29, 34 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boynton in view of Andresen et al (US 3,062,568).

Boynton teaches all the limitations of claims 9, 29, 34 and 49 except that the thread spacer is fixed upon one of the sets of threads of the tapered connection with a pin. Andresen et al teaches a similar threaded coupling that employs a thread spacer (27) that is fixed by pin (32) to the member (25). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Boynton and fix his thread spacer to member (1) via a pin in order to better secure and retain the thread spacer.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M. Hewitt whose telephone number is 571-272-7084.

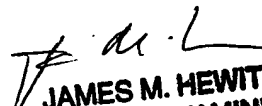
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JMH  
1/8/06

  
**JAMES M. HEWITT**  
**PRIMARY EXAMINER**